

The President laid the bill and the following House amendment before the Senate:

Amend S. B. 65, page 7, lines 3 and 4 by inserting the word "Fifty" prior to the word cents in line 3 and the figure ".50¢" in line 4.

The House amendment was read.

Senator Hightower moved that the Senate concur in the House amendment.

The motion prevailed by the following vote:

Yeas—31

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

Memorial Resolutions

S. R. No. 131—By Senator Watson: Memorial resolution for Cassius C. Carley.

S. R. No. 132—By Senator Watson: Memorial resolution for C. A. Nabors.

S. R. No. 133—By Senator Watson: Memorial resolution for Earl Akins.

Congratulatory and Welcome Resolutions

S. R. No. 134—By Senator Watson: Extending congratulations and commending "Projection 68" of Baylor University.

S. R. No. 135—By Senator Watson: Extending congratulations to "The Capitol Beacon" and its publisher.

S. R. No. 136—By Senator Watson: Extending welcome to students, teacher and sponsor of Holland Independent School District.

S. R. No. 137—By Senator Word: Extending welcome to Wm. P. Davis and Jack Hightower of Waxahachie.

Adjournment

On motion of Senator Hardeman the Senate at 11:32 o'clock a.m. adjourned until 10:30 o'clock a.m. tomorrow.

APPENDIX

Sent to Governor

Wednesday, February 17, 1965
S. C. R. No. 9.

TWENTIETH DAY

(Thursday, February 18, 1965)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Word

Absent—Excused

Watson

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leave of Absence

Senator Watson was granted leave of absence for today on account of important business on motion of Senator Reagan.

Senate Resolution 143

Senator Hightower offered the following resolution:

Whereas, We are pleased to have in the Senate Chamber today as guests Honorable George Moffett, accompanied by his charming wife and his daughter, Joy Moffett; and

Whereas, It is the desire of the Senate to extend to them the courtesies of the floor for the day; now, therefore, be it

Resolved, By the Senate of Texas that Honorable George Moffett and his family be and they are hereby welcomed and extended the courtesies of the floor for the day.

**HARDEMAN
HIGHTOWER**

The resolution was read and was adopted.

Presentation of Guest

Senator Moore by unanimous consent presented as a guest of the Senate today, former Senator Jarrard Secrest of Temple and he was granted the privileges of the floor for the day.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
February 18, 1965.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 69, A bill to be entitled "An Act amending Section 4 of Art. 3.04 of Chap. 3 of the Insurance Code (Acts of 1951, 52nd Leg., as amended by Acts of 1955, 54th Leg., Page 916, Chap. 363, Sec. 6, and by Acts of 1957, 55th Leg., Page 261, Chap. 122, Sec. 1) by providing that directors of life, health, or accident insurance companies need not be stockholders unless so required by the articles of incorporation or bylaws by providing that the first annual meeting of stockholders of life, health, or accident insurance companies be held on the fourth Tuesday in April of each year and thereafter on such date before April 30 of each year as shall be prescribed in the bylaws of the

corporation; by providing that when the board of directors of life, health, or accident insurance companies shall consist of nine or more members the bylaws of the corporation may provide for staggered terms of the directors by providing that directors be divided into either two or three classes; repealing conflicting laws; providing for severability; and declaring an emergency."

(With amendment.)

S. B. No. 16, A bill to be entitled "An Act amending Acts of 1962, 57th Legislature of the State of Texas, third called session, Chapter 34 (Vernon's article 8097) by authorizing the district to issue its bonds in the denomination of \$100.00 and any multiple thereof; and declaring an emergency."

(With amendment.)

S. C. R. No. 36, Concerning the preservation and conservation of Portraits.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk House of Representatives

Bill and Resolutions Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled resolutions and bill:

H. C. R. No. 41, Providing for a Joint Session at 10:15 a.m. on February 22, 1965.

S. C. R. No. 7, Providing for the redesignation and continued operation of the Texas Surplus Property Agency.

S. B. No. 65, A bill to be entitled "An Act providing for the creation of a county-wide hospital district in Wilbarger County; etc., and declaring an emergency."

Reports of Standing Committees

Senator Hall submitted the following report:

Austin, Texas,

February 17, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Trans-

portation to which was referred S. B. No. 73, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the Committee Substitute adopted in lieu thereof do pass and be printed.

HALL, Chairman.

C. S. S. B. No. 73 was read the first time.

Senator Colson submitted the following reports:

Austin, Texas,
February 18, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Public Health, to which was referred S. B. No. 225, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COLSON, Chairman.

Austin, Texas,
February 18, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Public Health, to which was referred S. B. No. 130, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COLSON, Chairman.

Senator Hazlewood submitted the following reports:

Austin, Texas,
February 18, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 91, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HAZLEWOOD, Chairman.

Austin, Texas,
February 18, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State

Affairs, to which was referred S. B. No. 120, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

HAZLEWOOD, Chairman.

Austin, Texas,
February 18, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 163, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HAZLEWOOD, Chairman.

Austin, Texas,
February 18, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 150, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

HAZLEWOOD, Chairman.

Senate Bills and Resolution on First Reading

The following bills and resolution were introduced, read first time and referred to the Committee indicated:

By Senator Cole:

S. B. No. 284, A bill to be entitled "An Act authorizing the Board of Regents of The University of Texas to acquire by donation or deed of gift from The Texas Medical Center in Houston for the use and benefit of The University of Texas M. D. Anderson Hospital and Tumor Institute, The University of Texas Dental Branch, The University of Texas Graduate School of Biomedical Sciences at Houston, or such other branch or unit of The University of Texas System as may be established by the Legislature in Houston, certain properties in the City of Houston, Harris County, Texas; and declaring an emergency."

To the Committee on Education.

By Senator Bates:

S. B. No. 285, A bill to be entitled "An Act amending the provisions of Senate Bill No. 236, known as the Insurance Code, Acts, 1951, Fifty-second Legislature, page 868, Chapter 491, as amended, by adding thereto a new Article, designated as Article 21.48A; defining and concerning Mortgage Lenders and Borrowers; prohibiting certain practices relating to insurance of mortgaged real property; permitting certain exceptions thereto; providing certain civil damages for violations thereof by a mortgage lender; providing that nothing contained herein shall apply to title insurance; providing a saving clause; and declaring an emergency."

To the Committee on Banking.

By Senator Richter:

S. B. No. 286, A bill to be entitled "An Act providing for the establishment of a system of eighty-five Educational Services Districts and defining and outlining the purposes thereof; providing that such Districts shall have a specified level of State support; providing for management of each district by a local board of education; providing the powers, duties, and compensation of such boards; providing for the election, term of office, and qualifications of board members; providing for appointment by each local board of an Educational Services District Superintendent possessing enumerated qualifications for a limited term, and upon his recommendation, appointment by the board of other officers and agents for a limited term; providing for removal from office and filling of vacancies in Education Service District positions; providing for bonding compensation, powers, and duties of certain officials; abolishing the County School Superintendency units of school administration including County School Boards of Trustees, and County Superintendents ex officio; providing a repealing clause; providing a severability clause; and declaring an emergency."

To the Committee on Education.

By Senator Kennard:

S. B. No. 287, A bill to be entitled "An Act applying to Arlington State College authorizing the governing board thereof to discontinue the charging and collection of tuition

fees for a certain time and to charge students certain building-use fees; authorizing the pledge of the income of such building-use fees and the issuance of bonds, warrants, or notes payable therefrom; providing and prescribing certain terms and conditions relating to such bonds, warrants, or notes; authorizing the charging and collection of additional tuition fees under certain conditions; providing that this Act shall be cumulative of other Statutes; authorizing the issuance of refunding bonds, warrants, or notes payable from the income of such building-use fees; providing and prescribing certain terms and conditions relating to such refunding bonds, warrants, or notes; prohibiting certain appropriations out of state funds except under stated conditions; providing a severability clause; containing other provisions relating to the subject; and declaring an emergency."

To the Committee on Finance.

By Senator Moore:

S. B. No. 288, A bill to be entitled "An Act relating to the disqualification of a person from seeking election to, being appointed to, or serving on a school board of a school district in which his spouse is employed as a teacher; providing appropriate remedies; and declaring an emergency."

To the Committee on Education.

By Senators Rogers and Hardeman:

S. B. No. 289, A bill to be entitled "An Act relating to compensation and reimbursement of expenses of members of the Texas Animal Health Commission; amending Article 7009, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency."

To the Committee on Agriculture and Livestock.

By Senator Rogers:

S. B. No. 290, A bill to be entitled "An Act to provide that no persons other than males shall be admitted to or registered by the Agricultural and Mechanical College of Texas during the fall or spring term for the purpose of regular full-time study; amending Article 2607, Revised Civil Statutes of Texas, 1925; and declaring an emergency."

To the Committee on Education.

By President Smith for Senator Watson:

S. B. No. 291, A bill to be entitled "An Act providing for open court hearings and public records in cases involving juveniles charged with felonies; amending Sections 13 and 15, Chapter 204, Acts of the 48th Legislature, 1943; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Hazlewood:

S. J. R. No. 31, Proposing an amendment to Article III of the Constitution of the State of Texas authorizing loans to college students at higher educational institutions; creating the Texas Student Loan Fund and providing for the issuance of general obligation bonds to support such Fund.

To the Committee on Constitutional Amendments.

Message From the House

Hall of the House of Representatives
Austin, Texas,
February 18, 1965.

Hon. Preston Smith, President of the Senate:

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 183, A bill to be entitled "An Act relating to the qualifications of the superintendent of the Texas School for the Blind; amending Section 1, Chapter 493, Acts of the 51st Legislature, Regular Session, 1949; and declaring an emergency."

H. B. No. 268, A bill to be entitled "An Act amending Section 2 and Section 4 of House Bill No. 754, Acts of the Regular Session, Forty-ninth Legislature, providing a distinction between crippled children and needy children; providing that appliances, braces and material necessary for the proper handling of crippled children shall not be considered personal property of the State; providing for the expenses of any patients, either under the regular Crippled Children's Program or the Cardiac Program, who expire while being hospitalized under the State Program for the transportation of the deceased and a parent to accompany the body of the deceased from the hospital to the place of burial and

the expenses incidental to embalming of the deceased and a casket as required for transportation; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk House of Representatives

Senate Concurrent Resolution 38

Senator Cole offered the following resolution:

S. C. R. No. 38, Authorizing the Board of Regents of the University of Texas to accept grants, donations, etc.

Whereas, The Board of Regents of The University of Texas is desirous of constructing additions to The University of Texas Dental Branch at Houston, Texas, and The University of Texas Graduate School of Biomedical Sciences at Houston, Texas, and to pay for the same from grants, donations, gifts, and matching grants from federal and state agencies; now, therefore, be it

Resolved, By the Senate of Texas, the House of Representatives concurring, that the Board of Regents of The University of Texas is hereby authorized to accept grants, donations, gifts, and matching grants from federal and state agencies for the purpose of constructing a dental science research building for The University of Texas Dental Branch at Houston, Texas, and a laboratory-classroom-office building, either as a separate facility or as a part of the dental science research facilities, for The University of Texas Graduate School of Biomedical Sciences at Houston, Texas.

The resolution was read and was referred to the Committee on State Affairs.

Senate Resolution 144

Senator Hardeman offered the following resolution:

Whereas, With the adoption of the Declaration of Independence by "The Great Convention" as Washington-on-the-Brazos, followed by the fall of the Alamo on "one of the most pathetic days of time" and the defeat of General Santa Anna at San Jacinto, which gave to Texas victory and to history its sixteenth world decisive battle, an independent Republic was launched and quickly gained

the respect and recognition of other Nations; and

Whereas, It was inevitable that the Republic of Texas, with the prerogatives and responsibilities accorded thereto, join the commonwealth of States forming the Federal Union; and

Whereas, In appropriate ceremonies, unparalleled in the history of free governments, the Lone Star Flag was furled, as the Republic of Texas ceased its labors and its traditions reached the quiet limits of the world, when on February 19, 1846, Texas became the twenty-eighth star on the field of blue, thus adding lustre to our National Emblem; and

Whereas, It is the desire of the Senate to recognize the 119th Anniversary of Statehood; now, therefore, be it

Resolved, By the Senate of Texas that it does hereby recognize this outstanding event and call on the people of the State, along with the members of the Senate, to rededicate themselves to the principles of the Founding Fathers and to steep themselves in the great traditions of the Lone Star State.

The resolution was read and was adopted.

Senate Resolution 145

Senator Rogers offered the following resolution:

Whereas, Today marks the anniversary of the birth of our distinguished and esteemed colleague, Honorable Jack Strong, and

Whereas, As a member of the Senate, Senator Strong has demonstrated his integrity, energy and many qualities of leadership, and

Whereas, It is the desire of the Senate to express its greetings and felicitations on this anniversary which marks another milestone on life's highway; now, therefore, be it

Resolved, By the Senate of Texas, that it does hereby extend its congratulations to Senator Strong and wish for him many happy returns of the day.

ROGERS

Signed—Lieutenant Governor Preston Smith; Aikin, Bates, Blanchard, Calhoun, Cole, Colson, Creighton, Crump, Dies, Hall, Hardeman, Harrington, Hazlewood, Herring, Hightower, Kazen, Kennard, Krueger,

Moore, Parkhouse, Patman, Ratliff, Reagan, Richter, Schwartz, Snelson, Spears, Watson, Word.

The resolution was read.

On motion of Senator Dies and by unanimous consent the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

The resolution was then unanimously adopted.

Senator Strong was given a standing ovation by the Members of the Senate.

Senate Resolution 146

Senator Hardeman offered the following resolution:

Whereas, On November 20, 1895, a son, born to Mr. and Mrs. Frank L. Moffett, in Hardeman County, Texas, was destined to serve as a member of the Legislature of Texas longer than any other person in the history of the State; and

Whereas, Named George, this young man spent his youth on a farm near Chillicothe, Texas, attending public school and engaging in agricultural pursuits under the direction of thrifty parents, and subsequently, graduating from Texas A & M College in 1916, with "the spirit of Ag-gieland" ever thereafter influencing his life's activities; and

Whereas, After service in the armed forces of the United States during World War I, young Moffett returned to his native soil and launched a colorful and successful combined business, fraternal and political career, derived from a colorful background of pioneer parents, which included farming, banking, oil development, automobile agency, State Representative and State Senator, and, as a 33rd degree Mason, the Grand Mastership of the Grand Lodge of Texas, A. F. & A. M. in 1955; and

Whereas, With his legislative service beginning with his election in 1930 to the House of Representatives, in which he served eight years, following which he was elected to the Senate from the 23rd Senatorial District, serving therein until his voluntary retirement on January 12, 1965, with a total legislative service of thirty-four years; and

Whereas, His dedication to the improvement and marketing of agricultural products, especially cotton and cotton by-products, through organized research, and his contributions thereto, early earned for him the sobriquet of "Cotton George," by which he has ever thereafter been familiarly known throughout the industry; and

Whereas, With a heritage of patriotism and unswerving devotion to the history and traditions of Texas and the Southland, he became recognized as an able exponent of the principles of Constitutional government and contributed to the preservation and recognition of historic shrines and sites made sacred by the sacrifices of the forebears of Texas; and

Whereas, His ability, seemingly untiring energy, and his experience were demonstrated in his sponsorship of statutory legislation and Joint Resolutions, proposing amendments to the State Constitution in a variety of subjects and fields, many of which were enacted and adopted and long have been a part of the law of the land, together with faithful service on numerous committees, both as member and as chairman, thereby attesting his wisdom and statesmanship; and

Whereas, His years of public service were filled with cooperation with his colleagues whose respect he gained and retained, even in bitterly contested controversial measures, through honorable and dignified conduct and devotion to principles which he espoused, thus leaving a record of public service worthy of a true son of Texas, of which he was one; and

Whereas, As he takes leave of this body and of the active political scenes and of those of us with whom he has so recently served, as well as those gone before, many of whom have been gathered unto their fathers, to engage in the less arduous affairs of private life and business enterprises, it is the desire of his former colleagues who remain, as well as the new members thereof, to extend congratulations and best wishes to Honorable George "Cotton" Moffett and say to him that "Men's homage and their love shall never cease to follow him" throughout his life's span and into the Great Beyond; now, therefore, be it

Resolved, By the Senate of Texas that it does hereby express its deep appreciation to Senator Moffett for his long service and constructive con-

tributions to the people of Texas, as well as its hope that he may continue to enjoy the fruits of his labors and reap the rewards of friendships and associations formed during an active political and fraternal life; and be it further

Resolved, That a copy of this Resolution be forwarded to Honorable George Moffett, under the Seal of the Senate, by the Secretary of the Senate, as evidence of the esteem and appreciation in which he is held by those with whom he has served and that a page in the Journal be set aside for this Resolution in his honor.

HARDEMAN
HIGHTOWER
HAZLEWOOD
AIKIN
COLSON
MOORE
RATLIFF
ROGERS

The resolution was read and was adopted.

The President appointed Senators Hightower, Aikin and Hardeman to escort Senator Moffett, Mrs. Moffett and his daughter Joy to the President's Rostrum.

The President presented the Honorable George Moffett stating that it was a real privilege for him to present this former Statesman, Senator and Legislator to the Senate.

Senator Moffett addressed the Senate recalling the many events that had happened in his service in the years in the Legislature since his election in 1930 to the House. This included the first Proration Act and the first regulation for Cotton Acreage and Research and his associates through the years.

He then cited his visits to other Legislatures and told the Members that they should be justly proud of the positions they hold and stated that he was also proud of the ability and the type of men who serve in the Senate. Former Senator Moffett then thanked the Members for the pleasure of addressing them.

At the conclusion of the address, former Senator Moffett was given a standing ovation by the Members of the Senate.

The President then presented Mrs. Moffett to the Senate.

Message From the House

Hall of the House of Representatives
Austin, Texas,
February 18, 1965.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 113, A bill to be entitled "An Act relating to the creation, administration, powers, and duties, and financing of the Swisher Memorial Hospital District in Swisher County; and declaring an emergency."

H. B. No. 135, A bill to be entitled "An Act amending Chapter 43, Acts of the 57th Legislature, First Called Session, 1961, by correcting a constitutional reference therein, by increasing the maximum tax which may be voted in Hopkins County Hospital District from 25c on the \$100 valuation of taxable property to 75c on the \$100 valuation of taxable property, and validating Hopkins County Hospital District and all acts and proceedings performed, had, or attempted pursuant to said Act, and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk House of Representatives

Senate Bill 69 With House Amendments

Senator Strong called S. B. No. 69 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and the following House amendments before the Senate:

Committee Amendment No. 1

Amend Line 17 of the caption of S. B. 69 by inserting between the words "... divided into either two or three classes"; and the words "repealing conflicting laws"; the following additional language:

... permitting classification of stockholders' voting rights in accordance with the Texas Business Corporation Act;"

Committee Amendment No. 2

Amend Line 8 on Page 4 of Original S. B. 69, Sec. 1., by inserting

between the words "of the company," and the words "which vote may be given . . .," the following additional language:

"except to the extent that the voting rights of the shares of any class or classes of stock are increased, limited or denied by the articles of incorporation as authorized or permitted by the Texas Business Corporation Act,".

The House amendments were read.

Senator Strong moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—30

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Word

Absent—Excused

Watson

Senate Bill 19 on Second Reading

Senator Parkhouse moved that Senate Rules 116 and 13, and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 19 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—28

Aikin	Hightower
Bates	Kazen
Blanchard	Kennard
Calhoun	Krueger
Cole	Moore
Colson	Parkhouse
Creighton	Patman
Crump	Ratliff
Dies	Reagan
Hall	Richter
Hardeman	Schwartz
Harrington	Snelson
Hazlewood	Strong
Herring	Word

Nays—1

Spears

Present—Not Voting

Rogers

Absent—Excused

Watson

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 19, A bill to be entitled "An Act relating to state credit unions, loans and investments thereof, directors and officers thereof, dividends thereof, annual reports and joint accounts; amending Articles 2462, 2465, 2469, 2477, 2482, and enacting Article 2484d, Revised Civil Statutes of Texas, 1925; so as to change the word, "direction" of the Board of Directors to "discretion" pertaining to investments, to permit investments in building and loan associations, savings and loan associations, and other state and federal credit unions elsewhere in the United States of America, as well as in Texas; etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 19 on Third Reading

Senator Parkhouse moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 19 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Hightower
Bates	Kazen
Blanchard	Kennard
Calhoun	Krueger
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Word

Nays—2

Moore

Rogers

Absent—Excused

Watson

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 99 on Second Reading

Senator Bates moved that Senate Rules 116 and 13, and Section 5 of Article III of the State Constitution be suspended and that H. B. No. 99 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—30

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Word

Absent—Excused

Watson

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 99, A bill to be entitled "An Act amending Article 1034, Penal Code of Texas, 1925, as amended, to clarify the territory in the state subject to certain provisions of the Article and to provide that the performing or failing to perform any act, which act or failure is in accordance with the rules and regulations promulgated by the Commissioner of Agriculture, shall constitute a complete defense to any alleged violation thereunder; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 99 on Third Reading

Senator Bates moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 99 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Word

Absent—Excused

Watson

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Word

Absent—Excused

Watson

Senate Bill 223 on Second Reading

Senator Schwartz moved that Sen-

ate Rules 116 and 13, and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 223 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—30

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Word

Absent—Excused

Watson

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 223, A bill to be entitled "An Act authorizing the Board of Regents of The University of Texas for and on behalf of The University of Texas Medical Branch at Galveston, Texas, to acquire by donation and deed of gift certain properties contiguous and/or adjacent to the campus of The University of Texas Medical Branch at Galveston when deemed necessary by the Board of Regents; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 223 on Third Reading

Senator Schwartz moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 223 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Blanchard
Bates	Calhoun

Cole	Krueger
Colson	Moore
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Hall	Reagan
Hardeman	Richter
Harrington	Rogers
Hazlewood	Schwartz
Herring	Snelson
Hightower	Spears
Kazen	Strong
Kennard	Word

Absent—Excused

Watson

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Senate Bill 16 With House Amendment

Senator Harrington called S. B. No. 16 from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the following House amendment before the Senate:

Amend S. B. 16 by deleting the words and figures "Vernon's Article 8097" where such words and figures appear in the caption of the bill.

The House amendment was read.

Senator Harrington moved that the Senate concur in the House amendment.

The motion prevailed by the following vote:

Yeas—30

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Word

Absent—Excused

Watson

Senate Bill 153 on Second Reading

Senator Creighton moved that Senate Rules 116 and 13, and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 153 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—29

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Word
Kazen	

Absent

Hardeman

Absent—Excused

Watson

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 153, A bill to be entitled "An Act authorizing the Board of Regents of the Texas Woman's University to sell and convey certain land, located in Denton County, Texas, said land being a part of the Bertha Lakey Estate bequeathed to the Texas Woman's University to establish the Ray and Bertha Lakey Scholarship Fund to provide scholarships for worthy girls seeking a college education; prescribing the procedure, terms and conditions of sale; disposition of the proceeds; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 153 on Third Reading

Senator Creighton moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 153 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Word
Kazen	

Absent

Hardeman

Absent—Excused

Watson

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Word
Kazen	

Absent

Hardeman

Absent—Excused

Watson

; (Senator Strong in the Chair.)

**Committee Substitute Senate Bill
34 on Second Reading**

Senator Cole moved that Senate Rules 116 and 13, and Section 5 of Article III of the State Con-

stitution be suspended and that C.S.S.B. No. 34 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—30

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Word

Absent—Excused

Watson

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

C. S. S. B. No. 34, A bill to be entitled "An Act relating to the authority and responsibilities of and the records kept by the State Commission for the Blind; amending Section 2, Chapter 80, General Laws, Acts of the 42nd Legislature, Regular Session, 1931, and adding a new Section 2a; amending Section 2, Chapter 216, Acts of the 49th Legislature, 1945; amending Section 3, Chapter 23, Acts of the 41st Legislature, 1st Called Session, 1929, as amended; amending Section 1, Chapter 241, Acts of the 49th Legislature, 1945; and declaring an emergency."

The bill was read the second time.

On motion of Senator Cole and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

**Committee Substitute Senate Bill
34 on Third Reading**

Senator Cole moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that C. S. S. B. No. 34 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Word

Absent—Excused

Watson

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Senate Bill 39 on Second Reading

Senator Cole moved that Senate Rules 116 and 13, and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 39 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—30

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Word

Absent—Excused

Watson

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 39, A bill to be entitled "An Act raising the age limit for the education program for totally deaf and blind or totally blind and non-speaking children; amending Section 2, Chapter 389, Acts of the 56th Legislature, Regular Session, 1959; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 39 on Third Reading

Senator Cole moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 39 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Word

Absent—Excused

Watson

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Herring
Bates	Hightower
Blanchard	Kazen
Calhoun	Kennard
Cole	Krueger
Colson	Moore
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Hall	Reagan
Hardeman	Richter
Harrington	Rogers
Hazlewood	Schwartz

Snelson Strong
Spears Word

Absent—Excused

Watson

**Senate Concurrent Resolution 35
on Second Reading**

On motion of Senator Herring and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

S. C. R. No. 35, Granting Delta Electric Construction Company, Inc., et al., permission to sue the State of Texas.

The resolution was read and was adopted.

Senate Bill 161 on Second Reading

Senator Hazlewood moved that Senate Rules 116 and 13, and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 161 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—29

Aikin	Kazen
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Word
Hightower	

Absent

Kennard

Absent—Excused

Watson

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 161, A bill to be entitled "An Act amending Article 4498a, of the Revised Civil Statutes of Texas, 53rd Legislature, page 1029, Chapter 426, Section 1; requiring registration

of licensed physicians, providing annual registration fee; and declaring an emergency."

The bill was read second time and was passed to engrossment.

(President in the Chair.)

Senate Bill 161 on Third Reading

Senator Hazlewood moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 161 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Word

Absent—Excused

Watson

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Word

Absent—Excused

Watson

Memorial Resolutions

S. R. No. 139—By Senator Watson: Memorial resolution for Mrs. W. M. DuPriest.

S. R. No. 140—By Senator Watson: Memorial resolution for Mrs. Lela A. Granger.

S. R. No. 141—By Senator Watson: Memorial resolution for Robert Rowntree.

S. R. No. 142—By Senator Watson: Memorial resolution for Mrs. W. T. Brandon.

Congratulatory and Welcome Resolutions

S. R. No. 138—By Senator Watson: Extending congratulations to Bob Sheehy on receiving Distinguished Service Award.

S. R. No. 147—By Senator Snelson: Extending welcome to Mrs. C. J. Ryan of Pecos.

S. R. No. 148—By Senator Herring: Extending welcome to students and teachers of Lamar Junior High School of Austin.

Adjournment

On motion of Senator Hardeman the Senate at 12:05 o'clock p.m. adjourned until 10:00 o'clock a.m. on Monday, February 22, 1965.

APPENDIX**Report of Standing Committee**

Senator Hardeman submitted the following report:

Austin, Texas,
February 18, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 65, A bill to be entitled "An Act providing for the creation of a county-wide hospital district in Wilbarger County; providing for an election in the county to create a county-wide hospital district; providing for the levy of a tax for the district for the purpose of maintaining and operating the district, paying indebtedness assumed by the district and bonds issued by the district; providing for the issuance of bonds by the district for the purpose of the purchase, construction, acquisition, repair or renovation of buildings and improvements and equipping same for hospital purposes and for any and all such purposes and for refunding bonds and prescribing limitations on such power; providing bonds issued or assumed by the district shall be lawful investments and collateral for certain funds; providing for the selection of a governing body of such hospital district, their tenure of office and powers and duties in carrying out the provisions of the Act; prescribing a procedure for the adoption of a budget, the selection of a depository and the power of eminent domain, which power is conferred upon the district; prescribing a fiscal year; prohibiting the levy of taxes by the county or a city located therein for hospital purposes and restricting the powers of the county in question where a district is established to levy taxes for the care of indigents under certain circumstances; providing a severance clause; and declaring an emergency."

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Sent to Governor

Thursday, February 18, 1965

S. B. No. 65

S. C. R. No. 7

In Memory of
Barry (Cap) Richburg

Senator Krueger offered the following resolution:

(Senate Concurrent Resolution 37)

Whereas, The State of Texas and the City of Pasadena suffered an irreparable loss in the death of Barry (Cap) Richburg, who suffered a fatal illness at his home on Sunday, December 6, 1964; and

Whereas, Mr. Richburg, who was affectionately known as "Pop," was a World War I veteran; distributor of Sportscraft and a pioneer leader and respected statesman of the marine industry; member of the First Baptist Church of Pasadena; President of the Boating Trades Association of Texas and member of the Bay Study Committee; and

Whereas, Mr. Richburg was one of the selective members appointed by Governor Connally in 1964 to represent the State on the Bay Study Committee, a Committee directed by the 58th Legislature to make a study of the most important problem of water pollution in Texas; and

Whereas, Mr. Richburg will be sorely missed by his many friends throughout the state who held him in great esteem; and

Whereas, He leaves a wife, Mrs. Leona Richburg of Pasadena; one daughter, Mrs. Frances Jean Moore; two sons, Donald Burch of Brazil, and Jack Richburg of Houston; one sister, Jeanie Inez Payne of Los Angeles; and eleven grandchildren; and

Whereas, The Senate of the State of Texas, the House of Representatives concurring, wishes to pay tribute to and recognize this outstanding citizen and to extend our sincere sympathy to members of his family; now, therefore, be it

RESOLVED, That we extend condolences to the Richburg family upon their great loss; and that copies of this Resolution be sent to his survivors; and be it further

Resolved, That a page be set aside in the Senate Journal as a memorial to Barry Richburg and that when the Senate adjourns today it do so in his memory.

The resolution was read and was adopted by a rising vote of the Senate.